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ORDER E-FILED 6/7/2006

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6 NATIONAL UNION FIRE INSURANCE OF PITTSBURGH, PA
and AIU INSURANCE COMPANY

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 KLA-TENCOR CORPORATION, a Delaware
corporation,

CASE NO. C 05-03092 RMW

11 Plaintiff,

12 v.

13 NATIONAL UNION FIRE INSURANCE OF
14 PITTSBURGH, PA, a Pennsylvania corporation,
AIU INSURANCE COMPANY, a New York
15 corporation,

**STIPULATION AND ~~PROPOSED~~
ORDER FOR TRAVELERS TO
PRODUCE DOCUMENTS IN
ACCORDANCE WITH THE APRIL 27,
2006 SUBPOENA**

16 Defendants.

17
18 National Union and non-party Travelers Indemnity Company of Illinois ("Travelers"), by
19 and through their respective counsel, hereby agree and stipulate to the following:

20 **RECITALS**

21 1. On April 27, 2006, Travelers was served with a civil subpoena for the production of
22 documents. National Union contends service was proper, while Travelers contends service was not
23 proper.

24 2. The date for production of documents was May 12, 2006.

25 3. Travelers did not respond by May 12, 2006 and did not request an extension of time
26 to respond prior to the production date.

27 4. National Union filed its motion to compel on May 22, 2006.

28 5. National Union and Travelers have met and conferred over the production of

1 documents and Travelers has requested and National Union has agreed to an extension of time for
2 Travelers to produce the documents responsive to the subpoena.

3 6. Accordingly, the parties hereby stipulate to the following:

4 **STIPULATION**

5 7. The parties incorporate herein by reference paragraphs 1 through 6 above.

6 8. Travelers agrees to a court order that it will undertake all reasonable efforts to
7 produce all documents responsive to the April 27, 2006 subpoena no later than
8 Monday, June 12, 2006. Travelers will also produce a privilege log for all
9 documents withheld from production.

10 9. In the event Travelers cannot meet the June 12, 2006 production date, it will provide
11 National Union and the court with written explanation of its efforts and the
12 anticipated date of production.

13 10. National Union preserves its right to file a further motion to compel to challenge
14 Travelers document production and privilege log. Travelers will not object to the
15 motion to compel based on the grounds that the time for bringing a motion to compel
16 closed on May 24, 2006.

17 11. Through this Stipulation, National Union's motion to compel is withdrawn.

18 Dated: June 6, 2006

HAYES, DAVIS, ELLINGSON, MCLAY & SCOTT

19
20 By 

STEPHEN M. HAYES

STEPHEN P. ELLINGSON

Attorneys for Defendants

NATIONAL UNION FIRE INSURANCE OF
PITTSBURGH, PA and AIU INSURANCE
COMPANY

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23 GREENAN PEFFER SALLANDER & LALLY LLP

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25 By 

ROBERT L. SALLANDER, JR.

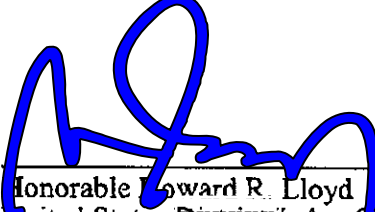
Attorneys for TRAVELERS CASUALTY

SURETY COMPANY a wholly owned subsidiary
of TRAVELERS PROPERTY AND CASUALTY
CORP.

ORDER

Travelers shall produce all documents and a privilege log for withheld documents that are responsive to the document subpoena no later than Monday, June 12, 2006. Based on the stipulation of the parties, National Union's motion to compel is withdrawn and hereby taken off calendar.

Dated: June 7, 2006


Honorable Edward R. Lloyd
United States District Judge for the Northern
District of California
Magistrate